REMARKS

Claims 1-43 were pending in the present application with claims 5, 8, 16, 17, 19, 24, and 28-43 withdrawn from consideration when the present Office Action was mailed (March 21, 2006). In this response, claims 53-57 have been added, and no claims have been amended or canceled. Accordingly, claims 1-57 are currently pending with claims 5, 8, 16, 17, 19, 24 and 28-43 withdrawn from consideration.

In the Office Action mailed March 21, 2006, all the pending claims were rejected. More specifically, the status of the claims in light of this Office Action is as follows:

(A) Claims 1-3, 9-15, 18, 20, 21 and 27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,020,476 to Bay et al. ("Bay"); and

(B) Claims 4, 6, 7, 22, 23, 25 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bay in view of U.S. Patent No. 6,402,849 to Kwag et al. ("Kwag").

The undersigned attorney wishes to thank the Examiner for engaging in a telephone interview on June 15, 2006. During the telephone interview, the undersigned attorney and the Examiner discussed the claimed invention and the teachings of the cited reference Bay. The Examiner agreed that Bay does not teach "a longitudinally extending gas delivery conduit internal to the longitudinally extending member" having a plurality of workpiece supports. The following remarks reflect and expand upon the agreements reached during the June 15, 2006 telephone interview. As such, applicants respectfully request that this response also constitutes applicants' Interview Summary.

A. Response to the Section 102(b) Rejections

Claims 1-3, 9-15, 18, 20, 21 and 27 were rejected under 35 U.S.C. § 102(b) as being anticipated by Bay. Applicants respectfully traverse these rejections. For the reasons discussed below, Bay cannot form the basis of Section 102(b) rejections of these claims because Bay fails to teach or suggest several features of these claims. Accordingly, the Section 102(b) rejections of these claims should be withdrawn.

Claim 1 is directed to a microfeature workpiece holder adapted to hold a plurality of microfeature workpieces for chemical processing. The holder includes a longitudinal extending member having a plurality of workpiece supports spaced longitudinally along a length of a longitudinally extending member. The workpiece supports are adapted to support the plurality of microfeature workpieces in a spaced apart relationship for processing. The holder further includes a longitudinally extending gas delivery conduit carried by the longitudinally extending member. The gas delivery conduit has an inlet, a first outlet, and a second outlet spaced longitudinally from the first outlet. The first outlet is positioned to direct a process gas flow intermediate a first pair of the workpiece supports. The second outlet is positioned to direct a process gas flow intermediate a second pair of the workpiece supports.

Bay discloses an apparatus for distributing a process gas with improved film growth on substrates (Abstract). The apparatus consists of four major components including substrate carriers, gas distribution discs, manifold link fixtures, and primary and secondary gas injection tubes (Abstract). The substrate carriers include slotted rails 29a-d having wide slots 60a-n for engaging gas distribution discs 14a-n and narrow slots 62a-n for engaging the substrates (column 6, lines 12-20). The secondary gas injection tube 19 has slotted openings 30 along its length, and gas distribution discs 14a-n rest in recesses 32a-n of the secondary gas injection tube 19 and directly over the slotted openings 30. Each gas distribution discs 14a-n includes an internal chamber 82, opposing planar faces 34a-n, and a notch 70 in the circumference aligned over one of the openings 30 to receive the process gas (column 6, lines 50-54). In operation, the process gas flows through the secondary gas injection tube 19, the slotted openings 30, the notch 70, the internal chamber 82, and the openings 34a-n to impinge on substrate 20a-b (column 7, lines 29-35).

Bay cannot form the basis of a Section 102(b) rejection of claim 1 because Bay fails to teach or suggest several features of claim 1. For example, Bay does not teach or suggest "a longitudinally extending gas delivery conduit carried by the longitudinally extending member." According to one dictionary, "carried by" generally refers to "to hold" or "to support" (The American Heritage Dictionary of the English Language). Assuming, for the sake of argument, that Bay's secondary gas injection tube 19 and the slotted rails 29a-d correspond, at least in part,

to the longitudinally extending gas delivery conduit and longitudinal extending member of claim 1, the secondary gas injection tube 19 is not carried by the slotted rails 29a-d because the slotted rails 29a-d neither hold nor support the secondary gas injection tube 19. Contrarily, the secondary gas injection tube 19 is spaced apart from the slotted rails 29a-d (see Figure 5).

During the telephone interview, the Examiner explained that Bay's secondary gas injection tube 19 can be read as being carried by the slotted rails 29a-d simply because these components are in the same assembly. Applicants respectfully disagree because under the Examiner's interpretation of "carried by", an engine could be characterized as carrying four tires in an automobile. Applicants understand that "claims must be given their broadest reasonable interpretation." *M.P.E.P. 2111.* However, "claim terms are presumed to have the ordinary and customary meanings attributed to them by those of ordinary skill in the art." *M.P.E.P. 2111.01.* Here, the secondary gas injection tube 19 is not supported by the slotted rails 29a-d, and thus characterizing that the secondary gas injection tube 19 is "carried by" the slotted rails 29a-d is contrary to the "ordinary and customary meanings" of the term "carried by."

Accordingly, Bay cannot form the basis of a Section 102(b) rejection of claim 1 because Bay fails to teach or suggest all of the features of claim 1. Claims 11 and 27 contain subject matter generally analogous to that of clam 1 and so Bay cannot form the basis of Section 102(b) rejections of these claims. Claims 2, 3, 9, 10, 12-15, 18, 20, and 21, which depend from claim 1 or 11. As a result, Bay also cannot form the basis of Section 102(b) rejections of these claims for the reasons discussed above and also because of the additional features of these dependent claims. Accordingly, the Section 102(b) rejections of claims 1-3, 9-15, 18, 20, 21, and 27 should be withdrawn.

B. Response to the Section 103 Rejections

Claims 4, 6, 7, 22, 23, 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bay in view of Kwag. For the reasons discussed below, the combination of Bay and Kwag cannot form the basis of Section 103(a) rejections of these claims. Accordingly, the Section 103(a) rejections of these claims should be withdrawn.

Kwag discloses a semiconductor fabrication apparatus for depositing a film (Abstract). The apparatus includes a process tube having gas injection portions in a slit configuration and waste gas exhaust portions formed as holes integrated into the interior of the body of the process tube (column 5, lines 56-66). A wafer boat carrying a plurality of wafers can move up and down in the process tube (column 4, lines 52-55).

As discussed above, Bay fails to teach or suggest "a longitudinally extending gas delivery conduit carried by a longitudinally extending member" of claim 1. Kwag fails to cure this deficiency. Assuming, that the injection and exhaust portions of Kwag correspond, at least in part, to the longitudinally extending gas delivery conduit of the rejected claims, then the injection and exhaust portions are separated from (i.e., not carried by) the "longitudinally extending member having a plurality of workpiece supports." As a result, the combined teachings of Bay and Kwag fail to teach or suggest at least one feature of claim 1, and there is no motivation or suggestion for such a modification. Claim 22 includes subject matter generally analogous to that of claim 1 and so Bay and Kwag cannot form the basis of a Section 103(a) rejection of this claim. Claims 4, 6, 7, 23, 25, and 26 depend from claims 1 or 22 and also include additional features. As a result, Bay and Kwag cannot form the basis of Section 103(a) rejections of these claims. Accordingly, the Section 103(a) rejections of claims 4, 6, 7, 22, 23, 25, and 26 should be withdrawn.

C. Examination of the Withdrawn Claims

Claims 5, 8, 16, 17, 19, 24 and 28-43 were withdrawn from consideration in response to an earlier species restriction requirement. Applicant expressly requests consideration and examination of the withdrawn claims upon indication of allowable subject matter that is generic to these claims.

D. Newly Added Claims

Claims 53-57 have been added in this response. Claims 53-57 recite features that are neither taught nor suggested by Bay and Kwag. For example, neither Bay nor Kwag teach or suggest "a longitudinally extending gas delivery conduit internal to the longitudinally extending member," "the first outlet being positioned to transversely flow a process gas intermediate a first

pair of the workpiece supports," and "the second outlet being positioned to flow a process gas transversely flow intermediate a second pair of the workpiece supports" of these claims.

E. Conclusion

In view of the foregoing, the pending claims are patentable over the applied art. The applicant respectfully requests reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned representative at (206) 359-6038.

Respectfully submitted,

Perkins Coie LLP

Date: 6/21/06

Chen Liang
Registration No. 51,945

Correspondence Address:
Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000